

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/826,549  
Filing Date: April 16, 2004  
Applicants: Ohtsuki et al.  
Group Art Unit: 3682  
Examiner: William C. Joyce  
Title: Bearing for a Wheel of Vehicle  
Attorney Docket: 6340-000043

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Restriction dated May 21, 2007, please consider the following.

The Examiner has restricted the application identifying seven groups relating to various figures of Applicants' disclosure. The Examiner states that the disclosed species may be classified together but the diverging subject matter of each disclosed species is considered a serious burden on the Examiner.

However, this is not the criteria for a serious burden. MPEP 803 states "for purpose of initial requirement, a serious burden on the Examiner may be prima fascia shown by appropriate explanation of separate classification, or separate status in the art, or a different field of search" as defined in MPEP §808.02. Here, the Examiner has

failed to show separate classification, separate status in the art for that a different field of search is required. In fact, the Examiner indicates that the species are classified together. Thus, the Examiner has failed to show a prima facie case that a serious burden exists. By failing to show that a serious burden exists, the Examiner must examine all of the alleged species on the merits.

In the event that the Examiner disagrees with Applicant's position, Applicant elects Group 1 directed to Figures 1-2 which relate to Claims 1, 2, and 5.

Should the Examiner have any additional questions or comments, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 21, 2007

By: 

W. R. Duke Taylor  
Reg. No. 31,306

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WRDT/lkj